

REMARKS

Applicants respectfully traverse and request reconsideration.

I. Amendments

Claims 1 and 19 have been amended to add inherent language supporting Applicants' remarks filed August 2, 2006. Claim 9 is cancelled, without prejudice, as the subject matter contained therein was amended into claim 8 during the previous amendment and response (filed August 2, 2006).

II. Objections

Claim 8 stands objected to because, according to the current Office Action, the limitation "memory device capable of storing a context bit" should be on its own line and should instead read "memory devices capable of storing a context bit" since two devices are allegedly claimed later in the claim. Applicants respectfully disagree. The limitation "memory device capable of storing a context bit" is properly positioned within claim 8. The aforementioned limitation is actually part of the larger limitation "context bit memory device capable of storing a context bit." The limitation is consistent with the remainder of the claim (as discussed below) and with the originally filed specification. (*See e.g.*, Fig. 1).

III. Rejections

Claims 1-2, 6, 8-9, 11-14, 16-17 and 19-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,061,786 to Witt ("Witt"). Claims 3-4, 10 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Witt. Claims 5, 7, 18 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Witt in view of U.S. patent No. 5,673,407 to Poland et al. ("Poland").

A. Independent Claims: 1, 8, 14 and 19

The current Office Action states that in contrast to Applicants' previous arguments, Applicants' claimed context bit is not or needs not be separate from the plurality of extra bits. (Page 3). "It is the opinion of the Examiner that the claim language lends itself to the interpretation that it is possible for the two parts to be combined. Separation of the two is not apparent in the claims." *Id.* Applicants disagree for at least the following reasons: (1) the article "a" introduces the term "context bit" and the term "first instruction having a plurality of extra bits"; and (2) the context bit is read based on the plurality of extra bits according to the claim. However, to advance prosecution, Applicants have amended claim 1 and claim 8 to include inherent language that indicates that the context bit is independent of the first instruction having a plurality of extra bits.

Because claim 1 now expressly requires the separation between the context bit and the first instruction having a plurality of extra bits, claim 1 appears to be in proper condition for allowance for the reasons previously identified in the remarks filed August 2, 2006.

As to claims 8 and 14, Applicants repeat the relevant remarks made above. With respect to the Office Action's statement that "Examiner was unable to find evidence of [Applicant's claimed feature of a context bit separate from the plurality of extra bits] in claim 1 or any other claims" on Page 3, Applicants respectfully draw the Examiner's attention to the specific language of claims 8 and 14. Therein Applicants claim a context bit memory device capable of storing a context bit and a first memory device storing a plurality of instructions, wherein each of the plurality of instructions includes a plurality of extra bits. Applicants respectfully note that because the context bit is stored in the context bit memory device and because the instructions (and their respective associated pluralities of extra bits) are stored in a first memory device wherein each device is introduced by the article "a", the context bit and the pluralities of extra bits (each associated with a respective instruction) cannot be the same physical piece of data.

For argument's sake, if the Office Action's proposition were true, the Office Action would effectively render meaningless or otherwise eviscerate the claim terms "a context bit memory device" and "a first memory device". Because each and every limitation of the claims must be interpreted and given proper consideration, the Office Action's analysis is facially improper and cannot stand. For the reasons articulated above, claims 8 and 14 are in proper condition for allowance.

With respect to claim 19, Applicants respectfully repeat the relevant remarks made above with respect to claim 1. For the reasons stated above, claim 19 is also in proper condition for allowance.

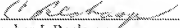
B. Dependent claims 2-7, 10-13, 15-18 and 20-21

Claims 2-7, 10-13, 15-18 and 20-21 depend upon allowable claims 1, 8, 14, and 19 respectively and further contain additional novel, non-obvious and otherwise patentable subject matter. For at least these reasons, the aforementioned claims are also believed to be allowable over the cited prior art.

Applicants respectfully submit that the claims are in condition for allowance and respectfully request that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

Date: 1/16/07

By: 
Christopher J. Reckamp
Registration No. 34,414

Vodder, Price, Kaufman & Kammholz, P.C.
222 North LaSalle Street, Suite 2600
Chicago, Illinois 60601
phone: (312) 609-7599
fax: (312) 609-5005